

# **FRAMEWORK FOR APPROVAL OF FOUNDATION MEDIATION TRAINING PROGRAMMES**

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## **1. Introduction**

Mediation services and independent training providers may submit their training courses for approval by the College of Mediators in order to become Recognised Training Providers listed on our Training Register. This framework provides a template against which a generic foundation training course in Mediation Skills can be assessed and approved by the College.

The OCN Level 3 basic community mediation skills is recognised as an approved course and, if you are running an OCN Level 3 course, you will automatically have satisfied a substantial part of the requirements and a

simplified application process is available. Details of this are provided in Section 4.

For mediators to be able to work in some specific contexts (for example, family mediation) additional training which covers specialist areas of knowledge is also required. Currently, these additional requirements have only been identified in the family sector, though requirements for other sectors may be issued in the future. The additional requirements for family mediators are listed under Appendix C.

Once approval is granted, courses can be advertised and run as College approved for a three year period.

The application to the College should consist of:

- A completed application form (pages 6 & 7 of this document)
- A course commentary (see Section 10 for guidance)
- A copy of the Aims and Learning Objectives, together with Training Course Programme (see Appendix A for guidance)
- Other supporting documentation (as indicated within this Framework document)
- A fee to cover the costs of the approval process (see Section 8 for details of fees)

These documents should be submitted electronically as email attachments. Please contact us to discuss further if this poses a problem.

## **2. Approval for new courses**

- i. Completed course commentary, learning objectives, training programme, other supporting documents and fee (£650/£550/£350) are sent to the College of Mediators for assessment; if satisfactory, provisional approval status is awarded to deliver **one** course.
- ii. Evaluations of the course by trainees and trainers are to be sent to the College within two weeks of the completion of the course.
- iii. On the basis that the evaluations are overall satisfactory, full approval will be awarded for the course just delivered and for the courses to be run (with minor amendments made in the light of the evaluations) during the next three years.
- iv. After three years, there must be a re-submission with any changes identified and recent evaluative evidence included. Approval may then be renewed. See Section 5 for more details.

### **3. Approval for Established Courses:**

You may have been running a course for some time and now wish to register it with the College.

Please submit the following:

- A completed application form (pages 6 & 7 of this document)
- A course commentary
- A copy of the Aims and Learning Objectives for the course, together with the course programme
- Other supporting documentation
- Completed evaluation forms from the latest course
- A fee of £650/£550/£330 (see Section 8 for more detail)

For guidance on submitting evaluation information, please see Section 10:G

### **4. Approval of an OCN/OCR recognised Course**

Training providers applying for recognition to deliver a course that is already recognised by OCN, OCR or similar (please contact the College to discuss further) should send in the following:

- A completed application form (pages 6 & 7 of this document)
- Evidence of their OCN/OCR recognition
- Course Learning Objectives and Programme Outline
- Confirmation of length of programme (40 hours of which 35 should be trainer/trainee contact time)
- Completed evaluation forms from the last course run
- A fee of £650/£550/£350 (see Section 8 for more detail)

### **5. Renewal of training approval**

Training providers whose approval is up for renewal after three years, must submit the following:

- A completed application form (pages 6 & 7 of this document)
- A copy of the Aims and Learning Objectives for the course, together with the course programme
- A cover letter detailing any changes to the course since the last approval (including developmental or legislative changes)
- Any other supporting documentation relevant to the changes made
- Completed evaluation forms from the latest course
- A fee of £400/£250 (see Section 8 for more detail)

## 6. Approval to provide CPD Training

Training suppliers who are successful in applying to provide foundation training are also able to provide Continuing Professional Development Training (CPD) without having to go through a separate application process.

There is no extra assessment fee attached to this, however, if you wish to supply CPD training, this is subject to:

- a) an annual re-registration fee of £110 to be paid every twelve months.
- b) an administration fee of £20 for every CPD course run in the preceding year.

There is a separate section on the application form where you can indicate whether or not you wish to be registered as a CPD provider. You will be requested to sign to say that you will comply with the requirements of CPD provision as listed in Appendix D.

## 7. The Approval Process

**Step 1:** Please send an initial e-mail, marked 'College Training Approval', to the College of Mediators indicating your wish to apply:

College of Mediators: [admin@collegeofmediators.co.uk](mailto:admin@collegeofmediators.co.uk)

**Step 2:** You will receive a response within one week acknowledging your wish to apply.

**Step 3:** Two assessors will be appointed from our panel within two weeks of your initial enquiry. You will be notified of this and requested to send your application electronically to the College.

**Step 4:** Please send a copy of the application form, with the relevant documents, by email to the College, together with your cheque or invoice request.

**Step 5:** Your application will be checked by each assessor individually against the requirements for approval. The assessors will then confer to decide on a recommendation.

**Step 6:** A recommendation will be made within four weeks of the submission of your material and you will receive notification.

Options for recommendation are:

- A. Approval
- B. Approval after meeting stipulated conditions
- C. No approval (with reasons clearly stated)

Applicants may appeal to the Chair of the College of Mediators (or Vice-chair, if Chair is unavailable) if they are unhappy with the decision. The Chair's decision, which shall be final, will be delivered within two weeks.

The assessor panel will monitor approved mediation training courses and may require further specific evidence, on a random basis, that quality is being maintained

## 8. Fees

<b>Approval</b>	<b>Fee</b>
Family mediation foundation course	£650
Non-family mediation foundation course – profit making	£550
Non-family mediation foundation course – volunteers	£350
Renewal of foundation course – profit-making	£400
Renewal of foundation course – volunteers	£250

The fee for family mediation training is higher than for non-family to reflect the additional work involved in assessing family-related courses.

There is a reduction in the fees for those mediation services which are providing in house mediation training to their own volunteers only. To be eligible for this reduction, you must confirm that you are not delivering your training on a profit making basis.

# 9. APPLICATION FORM FOR APPROVAL OF TRAINING COURSES

## 1. This application is submitted by:

Name \_\_\_\_\_

Address \_\_\_\_\_

Tel: \_\_\_\_\_ E-mail: \_\_\_\_\_

### The applicant is (please circle):

Mediation Service      Training Organisation      Independent Trainer

Other (please describe):

### Status (please tick):

- A first application for a new course yet to run (1 course approval)
- A first application for a course that has previously been delivered (Evaluation information included for three year approval)
- A submission for a course already recognised by OCN /OCR
- Renewal

## 2. Fee enclosed:

Do you wish to apply for a reduction?      Yes / No

If yes, please confirm that you are delivering training on a not-for-profit basis to local volunteers only      Yes / No

- I enclose a cheque for £\_\_\_\_\_ (please enter appropriate amount)  
Cheques payable to College of Mediators
- Please invoice for £\_\_\_\_\_ (please enter appropriate amount), quoting Purchase Order No. \_\_\_\_\_

## 3. Declaration

**Signed**

**Date**

**PTO**

#### 4. Provision of CPD Training

Do you wish to be registered to provide CPD Training in addition to Foundation Training?

- Yes                       No    *(please tick as appropriate)*

If yes, please confirm that you have understood and agree to the following:

- I understand that the provision of CPD training will be subject to an annual re-registration fee of £110 and an administration fee of £20 per course.
- I agree to provide CPD training that meets the criteria set out in Appendix D of the "Framework for Approval of Foundation Mediation Training Programmes"

**Signed**

**Date**

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## **10. Course Commentary Guidance Notes**

A course commentary should be written to accompany an application for a new or established course to be approved. It is not required for a course that is already recognised by OCN or OCR. The commentary should address the criteria raised in the following checklist.

Within your commentary, use the following headings and reference numbers to help you present the information clearly. This also speeds up the approval process. Cross-referencing is encouraged where one piece of information or documentation refers to more than one criterion.

Criteria marked \* require supporting documentation as well as information within the course commentary. Such documentation should illustrate and verify the claim that the criteria are being met. Label each document with the heading and reference number of the criteria to which it refers.

Guidance for submitting evaluation information appears at the end of the list of criteria.

### **A. Access to the training**

1. What information are potential trainees given about what they can expect from the training and what will be expected of them? Delegates must attend the full course. At what point is this made clear? \*
2. If the course has entry requirements, how is fairness of selection ensured?
3. What provisions have been made to ensure that training venues are accessible?
4. What provisions have been made to ensure that course materials and training methods and styles are suitable for and accessible to participants?

### **B. Resources**

1. Two experienced trainers must be available to deliver the course, at least one of whom must be an experienced mediator.
2. The length of the course must provide sufficient contact and non-contact time for the stated learning outcomes or course objectives to be delivered.

3. Who will be responsible for trainee assessment during the course, and what amount of time has been programmed in for assessment and support?
4. The venue must have at least one good sized room to accommodate all participants with facilities for smaller group work (either by room division or through the use of additional room(s)/space).
5. What reference and support materials does the service have available for both trainers and learners to draw upon? \* (e.g. booklist).

### **C. Training Methods and Style**

1. Comment on the training methods used on the course. A range of methods should be used to accommodate differing learning styles, and chosen methods of delivery must be participative and acknowledge the experience that the trainees bring to the course. \* (please attach the course programme and handouts from a sample of two course sessions).
2. How far does the style of the training match the underpinning values of mediation?
3. As a training provider, please give details of arrangements you have in place to ensure equal opportunities and to respond to complaints.\*

### **D. Learning Outcomes or Course Objectives**

1. What are the learning outcomes or course objectives, and at what stage are they made explicit to trainees? \*
2. What is the content of the course and at what stage is it made explicit to trainees? \*
3. How is the pathway into practising as a mediator after the course has finished explained to the trainees? \*
4. How far do the learning outcomes or course objectives support the trainees towards achievement of the College of Mediators Competence Standards for Mediators?

## **E. Assessment**

1. How is the prior learning of trainees assessed and acknowledged?
2. Comment on the assessment mechanisms you have in place during the course. What range of appropriate assessment methods are used during the course? Assessment should ideally be ongoing during the course as well as at the end of the course. \*
3. What provision is there for trainees to self-assess and how is that assessment fed into the overall assessment process?
4. Do you provide an evidence file or other means of enabling trainees to keep evidence resulting from course assessment? \*
5. What arrangements are in place to feed back to and work with delegates who do not meet the standard?

## **F. Evaluation of the course itself**

1. Comment on the ways in which you intend to evaluate the effectiveness of the training. \*
2. What opportunities are there to evaluate the course both during and at the end?
3. Who is involved in providing feedback about the course (e.g. participants, trainers, supervisors, the mediation service)?
4. What mechanisms exist to ensure that this feedback is used to improve subsequent courses?

## **G. Guidance for submitting evaluation information**

This is relevant for training providers who are applying for approval of

- i) an established course
- ii) a course recognised by OCN/OCR
- iii) Courses seeking renewal

Information should include:

- Details of when and where the course ran, and the number of participants who started and completed the course
- A list of the evaluation methods used (including trainers' self-evaluation), and the evidence gathered from those evaluation methods
- Copy documents of participant and course evaluation forms
- A copy of the course programme as it actually ran, highlighting differences from the programme originally submitted.

## **H. Managing Complaints**

Please confirm that you have a complaints procedure and attach details.\*

## **Appendix A: Learning Objectives of Mediation Skills Training**

The content of the programme should be able to meet the following Learning Objectives

By the end of the course participants should understand:

1. Their own and others' responses to conflict
2. Positions and interests
3. The aims and principles of mediation as distinct from other dispute resolution processes
4. The impartial role of the mediator
5. The mediation process
6. The difference between constructive and destructive conflict.
7. Effective communication skills
8. The difference between facts and feelings
9. The skills and qualities required by a mediator
10. The need to work effectively as part of a co-working team or as a solo mediator
11. How to prepare for and organise individual meetings with disputants.
12. How to conduct joint meetings with disputants
13. How to assist disputants to sort their issues into a workable agenda
14. The impact of disruptive behaviour in a joint meeting and how to address it
15. The effect of power imbalance on the mediation process and how to address it
16. How to assist disputants to generate and assess options
17. The criteria required to construct an agreement
18. What can and cannot be mediated
19. The effects of stereotyping and prejudice
20. The importance of self reflection and monitoring their own assumptions, prejudices and responses

Training providers should be able to demonstrate ways in which these learning outcomes can effectively be assessed during the training programme.

## **Appendix B: Core Content of Initial Mediation Training**

It is anticipated that courses will be a minimum of 40 hours, at least 35 of which will be trainer/trainee contact time.

### **Mediator self awareness and development**

1. Responses to own and observed conflict
2. Prejudice awareness and reduction
3. Self management in volatile situations
4. Working to a Code of Practice

### **Understanding the mediation process**

1. The principles of mediation: Confidentiality; Privilege (where appropriate); Impartiality; Voluntariness; Fairness; Self determination of the Parties
2. How mediation differs from other forms of conflict intervention
3. The aims of mediation
4. How the mediation process works (stages)
5. The outcome(s) of mediation
6. Suitability and appropriateness of mediation
7. The role of supervision and reflective practice

### **Developing mediation skills**

1. Building rapport
2. Communication skills: e.g. active listening, summarising, reframing, acknowledging, questioning
3. Explaining the mediation process
4. Conducting party preparation meetings
5. Conducting joint meetings
6. Facilitating Exchange
7. Indirect mediation (shuttle)
8. Managing time within the mediation process
9. Conducting separate meetings within a joint meeting
10. Managing difficult conversations
11. Dealing with the unexpected (e.g. premature departure)
12. Debriefing

### **Putting it into practice**

1. Assessed role play of party preparation meeting
2. Assessed role play of joint meeting

### **Themes**

1. Understanding conflict and responses to it
2. Communication theory
3. Anti-discriminatory practice
4. Working with diversity
5. Power and empowerment
6. Safety in mediation
7. Co-mediation
8. Giving and receiving feedback

## **Appendix C: Additional Content for Specific Mediation Contexts**

### **1. FAMILY MEDIATION**

#### Working with Children and Young People

1. Working with a child focus
2. Needs of children
3. Appropriate knowledge of family law and legal processes, namely current legislation concerning families, family breakdown and financial support following separation and divorce, court process; rules of court (Scotland)
4. The range of orders relating to children contained in the Children Act 1989 and the Children (Scotland) Act 1995
5. Family transition & psychological and social processes of separation and divorce
6. Child protection procedures
7. Indicators of possible child abuse

#### Working with Finance and Property

1. Legal aid legislation
2. Legislation relating to pensions and divorce, the Pensions Act 1995, and any subsequent alterations and how this works in practice
3. The Child Support Act 1991 how clean break settlements are dealt with
4. Issues regarding domestic abuse, and Family Law Act 1996, Part IV
5. Knowledge of the law relating to maintenance and capital settlements;
6. The Civil Evidence (Family Mediation) (Scotland) Act 1995. Evidential rules (Scotland)
7. Understanding the financial disclosure process
8. Drafting documents in support of this

## **Appendix D: Requirements for the Provision of CPD Training**

Suppliers who wish to provide CPD as well as Foundation Training are required to sign a separate section on the Application Form to indicate their agreement to meet the following criteria:

1. Overall aims and objectives of courses must be stated explicitly and must show the relevance and applicability to mediation practice and professional development
2. There should be clear learning outcomes detailing the knowledge that will be gained and what should be achieved on completion,
3. There should be a clear indication of any entry criteria and the level of expertise required to attend and whether this course is:
  - a. **Introductory** (with no expected prior knowledge or expertise i.e. Mediation linked with another subject, such as Transactional Analysis, which is new)
  - b. **Intermediate** (with an indication of the level of experience and expertise required)
  - c. **Advanced** (with an indication of the level of expertise and experience required)
  - d. **Refresher** and whether open to all comers or requires certain level of prior knowledge or experience.
  - e. **Informative**, knowledge building
4. The course content must be clearly outlined and demonstrate its relevance to mediation. There should be a detailed programme which shows length, timings for activities, exercises, input and breaks.
5. The number of CPD points attracted must be stated. The minimum length of an event is one hour and normally one point is awarded per hour of CPD attended excluding registration and meal breaks.
6. Names, qualifications and experience of trainers must be clearly stated
7. Courses must state clearly whether they attract CPD points from any other body [e.g. Law Society] and, if so, the number of points and from which body.
8. There should be a clear indication as to whether the course requires any level of assessment, or any pre or post course work to achieve completion.

### **Additional Requirements for the delivery of CPD Training**

There are further practical requirements necessary for the delivery of CPD training listed below. CPD providers must -

Outline process for Approval of Foundation Training Providers

1. Keep a record of the attendees of each course ensuring that any names of non-attendees are not included.
2. Provide and ensure collection of course evaluation forms, which can evidence the achievements of the course aims and learning outcomes.
3. Provide evidence of the analysis and monitoring of these forms on a regular basis, a summary of which should be submitted to the College of Mediators annually. (If the CPD event is a one off then this analysis should be provided for that event.)
4. Provide written evidence of participants' attendance e.g. a CPD certificate for each participant signed by an approved person who can verify that the training was provided and that the participant attended the complete programme. This should include the date of the event and number of CPD points awarded for attendance.
5. Demonstrate the use of a range of training methods.
6. Provide a venue conducive to learning.
7. Provide training material which is factually accurate and of high quality presentation. Proper attribution of the handouts to source/author and evidence that permission has been given for reproduction/use.
8. Show evidence that the main learning points are covered during the training and backed up in any written materials/handouts.